



Durham County Government

Agenda Action Form Supplemental, Contract Amendment-BOE S. Roxboro St. Renovation Project ,Samet/WC Construction Joint Venture GMP#3 Phase 1B

Agenda Action Form Overview

Approval of Capital Project Amendment No.24CPA00025 Appropriating \$4,786,693 of Limited Obligation Bond Funding (LOBS) to the Board of Elections S. Roxboro Street Renovation Capital Project (4730DC155), as well as Execution of the Construction Manager @ Risk GMP#3 Contract for the BOE S. Roxboro St. Renovation Project

Background/Justification

On July 10, 2023, the BOCC awarded the Construction Manager at Risk (C, M @R) Pre-construction Services contract to Samet/ WC Construction Joint Venture. The Pre-Construction Services phase of the project was the first step in the Construction Manager at Risk process in which the contracting team provided cost estimating, constructability reviews, schedule development and value analysis of the project design. For an efficient scheduling process the project has been broken down into (4) packages which are Package A which consists of items which were immediate and long lead time ((Electrical - 1) Generator/ATS and 2) Switchboards, Mechanical - VRF / ERV units, Structural / Misc. Steel Package; Generator /ATS). GMP#1 , Package A was approved by the BOCC on October 9, 2023. On November 13, 2023 Package B GMP#2 was approved by BOCC for the interior completion of the former Kroger box renovation. Package B consists of the remaining packages for the BOE Renovation project thus GMP#2. Package 1B GMP #3 includes (Exterior site work, landscaping, exterior lighting and fencing, etc.). This mode of bidding allows for the timely completion of construction activities and the opening of the facility, currently scheduled for August 2024. GMP #4 for the roofing and HVAC rooftop unit replacement for the balance of the shopping center will be bid at a later date.

Funding for this service is available in the BOE Capital Project account. The contractor Samet with WC Construction will be utilizing 9.1% MWBE Certified Black American businesses, 1.9% MWBE Certified Hispanic American business, and 13% MWBE Certified Woman-Owned businesses to be used as MWBE subcontracting participation to perform this phase on the project. For M/WBE information (See Attachment 2, page 1). The contractor is also pursuing additional MWBE participation if the opportunity is available.

Policy Impact

The board approved the use of this delivery method prior to staff issuing the RFQ for the project. The Construction Manager @ Risk delivery method is currently in use on the Youth Home Project is favored for larger and more complex construction and renovation projects.

Procurement Background

Construction Manager's @ Risk are selected based qualification based RFQ processes as outlined in NC G.S. 143-64-31. This statute requires that State and al public subdivisions and Local Governments units thereof, except in cases of special emergency involving the health and safety of the people or their property, to announce all requirements for architectural, engineering, surveying, construction management at risk services, design-build services, and public-private partnership construction services to select firms qualified to provide such services on the basis of demonstrated competence and qualification for the type of professional services required without regard to fee other than unit price information at this stage, and thereafter to negotiate a contract for those services at a fair and reasonable fee with the best qualified firm.



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Type of purchase

- Goods
- Services
- Architect, Engineer or Surveyor Services, CM@R
- Construction and Repair

Did this request for purchase go through a bid process? Yes No

Goods: Bids required if ≥ \$30,000, BOCC approval if ≥ \$90,000

Services: Bids required if ≥ \$30,000, BOCC approval if > \$40,000

Construction/Repair work: Bids required if ≥ \$30,000, BOCC approval if ≥ \$500,000

If yes, attach a copy of bid tab and the minority and women business enterprise (MWBE) compliance review form provided by the Purchasing Division.

If no, why?

- Sole source exemption
- Cooperative purchasing program exemption
- State and federal contract exemption
- Contract is an amendment to an existing contract
- Other (please explain)

If exempted from bidding, has this request been reviewed and approved by the Purchasing Division in the agenda Legistar system? Yes No

If no, why? Qualification based RFQ process as required by G.S. 143-64.31

Fiscal Impact

The funding will be deposited by the Budget department into the CIP account for the Project.

Recommendation

The County Manager recommends that the Board approve Capital Project Amendment No.24CPA00025, appropriating \$4,786,693 of Limited Obligation Bond Funding (LOBS) to the Board of Elections S. Roxboro Street Renovation Capital Project (4730DC155) for renovation and construction. The amendment also requests authorization for the County Manager to enter into a contract or change order with Samet/WC Construction Joint Venture (SWC) for the Board of Elections S. Roxboro St Renovation project located at 3825 S. Roxboro Street, Durham NC, for GMP#3 in the amount of \$4,598,777 (Bid Package 1B – base bid plus alternates and allowances), as well as approve the owners construction contingency at (5%) in the amount of \$184,573.00 and execute any other related contracts including change orders if necessary not to exceed the available budget of \$4,786,693. for GMP#3 Phase 1B of the project.